



MINUTES/ACTIONS

AGENDA
STATE CIVIL SERVICE COMMISSION
GENERAL BUSINESS MEETING
WEDNESDAY, MAY 3, 2023
9:00 A.M.

BYRON P. DECOTEAU, JR.
DIRECTOR

LOUISIANA PURCHASE ROOM, SUITE 1-100, FIRST FLOOR, CLAIBORNE BUILDING, 1201 NORTH THIRD STREET, BATON ROUGE, LOUISIANA



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- Roll Call

The State Civil Service Commission convened its monthly general business meeting at 9:05 a.m. on Wednesday, May 3, 2023. Present were Chairman David Duplantier, Vice Chairman D. Scott Hughes, Commissioners Candes Carter, John McLure, Craig Netterville, Codi Neyland, and Jo Ann Nixon.

- Opportunity for Public Comment (No Attachment)
No requests received from the public to address the commission.
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On motion duly made, seconded, and passed, the Commission took the specified action as listed for each of the requests listed below:

- 1) Oath of Office: Elected Employee Representative to the State Civil Service Commission
 - Codi Neyland
Sherri Gregoire, General Counsel, administered the oath of office to Codi Neyland, the elected Employee Representative to the State Civil Service Commission.
- 2) Consideration of the **Minutes** of the Commission meeting held April 5, 2023. **The Commission unanimously approved the minutes as written.**
- 3) **Resolution** to express gratitude and appreciation to all state classified employees for their outstanding service to the citizens of Louisiana. **The Commission unanimously adopted the Resolution as written. For additional information regarding State Employee Recognition Week 2023, please refer to [General Circular Number 2023-026](#).**
- 4) **Public Hearing** to consider proposed changes to Civil Service Rule Chapter 18-Transition Rules. (Details contained in General Circular No. 2023-019.)
 - Public Comments

Sherri Gregoire, General Counsel, presented the proposed amendments to the Commission, as published in [General Circular No. 2023-019](#). Also, Ms. Gregoire presented the following proposed amendments, indicated in red, to the transition rules published in General Circular No. 2023-019 dated April 6, 2023:

- On page 3, Line 61, after “Not Evaluated.” add “Not Evaluated” during this transition period has the same effect as “Successful.”

- On page 3, Line 73, after “promotion” delete “or” and after “market adjustment” add “or eligibility for a lump sum payment for exceptional performance under Rule 6.16.1.”

Chapter 18: Transition Rules

18.1 Transition to New Performance Evaluation System

~~The Director shall establish and publish procedures to effect an orderly transition to the performance evaluation system established in Chapter 10 of these rules.~~

Repealed Effective July 1, 2023

18.2 Performance Adjustments during transition to Performance Evaluation System

~~An employee who has a “Satisfactory” or equivalent rating effective July 1, 2012 shall become eligible for and may be granted a performance adjustment, provided that the appointing authority has determined his performance merits such an adjustment.~~

Repealed Effective July 1, 2023

18.3 Repealed effective December 14, 2011

18.4 Repealed effective December 14, 2011

18.5 Telework Policy – Transition Period

~~State agencies with telework policies prior to the effective date of this rule may continue to operate under such policies until June 30, 2022. Effective July 1, 2022, state agencies must have a policy approved by the Director under the provisions of Rule 11.4.1 in order for employees to telework.~~

Repealed Effective July 1, 2023

18.6 Transition from Performance Evaluation System to Continuous Performance Management

The Director shall establish and publish procedures to effect an orderly transition to Continuous Performance Management to be established in Chapter 10 of these rules.

18.7 Transition Period—Performance Evaluation System to Continuous Performance Management

The transition period shall be July 1, 2023 through December 31, 2023.

18.8 Transition Period Performance Planning Components

New performance planning documents and sessions shall not be required for any classified employee during the transition period. Agencies may opt to either:

- Continue to use the FY 22-23 performance plan
- Establish and conduct a new planning session in accordance with the provisions in Chapter 10

18.9 Transition Period Performance Evaluation Components

Classified employees, excluding WAEs, shall be rated December 1 through December 31, 2023. The rating effective date shall be recorded as January 1, 2024. The ratings available for use are:

- Successful
- Needs Improvement/Unsuccessful

Ratings that are not rendered by December 31, 2023, shall be considered untimely and result in a rating of “Unrated.” “Unrated” during this transition period has the same effect as “Successful.”

Employees hired on or after December 1, 2023, may be rated as “Not Evaluated.” “Not Evaluated” during this transition period has the same effect as “Successful.”

Second-level review and signature approval shall be required only for transition period performance evaluation ratings of “Needs Improvement/Unsuccessful.”

18.10 Effects of Transition Period Performance Ratings

An employee who is rated “Needs Improvement/Unsuccessful” shall be ineligible for attainment of permanent status. The Evaluating Supervisor shall provide documentation to support an evaluation of “Needs Improvement/Unsuccessful.”

Transition period performance ratings shall not be used for layoff purposes or determining eligibility for detail to a higher-level position, promotion, ~~or~~ market adjustment or eligibility for a lump sum payment for exceptional performance under Rule 6.16.1.” Official ratings effective July 1, 2023, for FY 22-23, shall be used for these purposes.

Employees shall not have a right to request a review of the transition period performance rating.

Chris Deer, Deputy Director, informed the Commission of one question from LSU regarding the proposed rule change in relation to the evaluation period. The university expressed concern with the time of the evaluation period because many of their staff is out during that time. State Civil Service has committed to further conversation with LSU and will facilitate any needed changes, if necessary.

On motion duly made, seconded and unanimously passed, and providing for public comments, to which there were none, the Commission adopted the recommended amendments to the rule as noted above. Commissioner Hughes clarified that for the first amendment, the word “or” will be replaced with a comma.

On motion duly made, seconded and unanimously passed, and providing for public comments, to which there were none, the Commission adopted the rule changes, with amendments, to Chapter 18-Transition Rules of the State Civil Service Rules.

- 5) **Public Hearing** to consider proposed changes to the Classification and Pay Plan (Details contained in General Circular No. 2023-025)
- Public Comments

The Commission conducted a public hearing to consider proposed changes to the Classification and Pay Plan and provided opportunity for public comments, to which there were none.

On motions duly made, seconded and unanimously passed, the Commission approved the pay plan proposals for Exhibits A and B, being contingent upon the Governor’s approval and granted authority to

the State Civil Service Director to set the effective date no sooner than 10 days following gubernatorial approval; and unanimously approved Exhibits C and D and granted authority to the State Civil Service Director to set the effective date no sooner than 10 days following gubernatorial approval of Exhibits A and B.

- 6) Request of the **Department of Culture, Recreation, and Tourism—Office of State Parks**, to extend authority to exempt from the classified service, five (5) positions in accordance with State Civil Service Rule 4.1(d)2, effective June 14, 2023 through June 13, 2027. **The Commission unanimously granted the request.**
- 7) Request of **Louisiana Educational Television Authority—Louisiana Public Broadcasting**, to exempt from the classified service one (1) Director position, in accordance with State Civil Service Rule 4.1(d)2, effective May 3, 2023 through May 2, 2027. **The Commission unanimously granted the request.**
- 8) Request of the **Southeast Louisiana Flood Protection Authority-East** to extend authority to exempt from the classified service, two (2) Director positions, in accordance with State Civil Service Rule 4.1(d)2, effective June 3, 2023 through June 2, 2027. **The Commission unanimously granted the request.**
- 9) Request of **Fletcher Community College** to amend its Crisis Leave Pool Policy in accordance with State Civil Service Rule 11.34, effective May 3, 2023. **The Commission unanimously granted the request.**
- 10) Request of **Southeastern Louisiana University** to amend its Optional Pay policy in accordance with State Civil Service Rule 6.16.2, effective May 3, 2023. **The Commission unanimously granted the request.**
- 11) Request of **State Civil Service** to establish a Special Entrance Rate policy for Human Resources Consultant and Human Resources Analyst job titles in accordance with State Civil Service Rule 6.5(b), effective May 3, 2023. **The Department withdrew the item from the agenda.**
- 12) Request of **State Civil Service** to amend a Premium Pay policy for Human Resources Consultant and Human Resources Analyst job titles in accordance with State Civil Service Rule 6.16(a), effective May 3, 2023. **The Department withdrew the item from the agenda.**
- 13) Request of the **Department of Children and Family Services** to amend a Special Entrance Rate policy for Accountant job titles in accordance with State Civil Service Rule 6.5(b), effective May 3, 2023. **The Commission unanimously granted the request.**
- 14) Request of **Northwest Louisiana Human Services District** to amend a Premium Pay policy for various job titles in accordance with State Civil Service Rule 6.16(a), effective May 3, 2023. **The Commission unanimously granted the request.**
- 15) Request of the **Louisiana Department of Health** to amend its Premium Pay policy for Registered Nurse job titles in accordance with State Civil Service Rule 6.16(a), effective May 3, 2023. **The Commission unanimously granted the request.**
- 16) Request of the **Louisiana Department of Health—Office of Aging and Adult Services**, to amend its Special Entrance Rate policy for Nursing Assistant job titles at Villa Feliciana Medical Complex, in accordance with State Civil Service Rule 6.5(b), effective April 5, 2023. **The Commission unanimously granted the request.**

- 17) Request of the **Louisiana Department of Health** to establish a Premium Pay policy for Nursing Assistant, Psychiatric Aide, and Residential Services Specialist job series in accordance with State Civil Service Rule 6.16(a), effective April 5, 2023. **The Commission unanimously granted the request, as recommended by State Civil Service, to establish this policy effective April 5, 2023, and to rescind the previously approved work incentive premium pay policy effective July 10, 2019 and the working conditions premium pay policy effective June 6, 2018.**
 - 18) Request of the **Louisiana Department of Health** to establish a Premium Pay policy for Corrections Guard—Therapeutic, Nursing Assistant, Psychiatric Aide, and Residential Services Specialist job series in accordance with State Civil Service Rule 6.16(a), effective April 5, 2023. **The Commission unanimously granted the request, as recommended by State Civil Service, to establish this policy effective April 5, 2023, and to rescind two previously approved retention Premium Pay policies effective May 23, 2016 and September 29, 2021.**
 - 19) Request of the **Louisiana Department of Health** to establish a Special Entrance Rate policy for Corrections-Therapeutic job titles in accordance with State Civil Service Rule 6.5(b), effective April 5, 2023. **The Commission unanimously granted the request.**
 - 20) Request of the **Louisiana Department of Health** to establish a Premium Pay policy for Corrections-Therapeutic job titles in accordance with State Civil Service Rule 6.16(a), effective April 5, 2023. **The Commission unanimously granted the request, as recommended by State Civil Service, to establish this policy effective April 5, 2023, and to rescind the previously approved work incentive premium pay policy effective July 10, 2019 and the hazardous duty premium pay policy effective November 6, 2019.**
 - 21) Request of **State Civil Service** to ratify the Director’s authorization of Special Entrance Rates in accordance with State Civil Service Rule 6.5(b). **The Commission ratified the Director’s approval of one Special Entrance Rate between the period of April 6, 2023 through April 19, 2023.**
 - 22) Report on State Civil Service Rule 6.16(a), Premium Pay policies, up to \$2.00 per hour, approved under the Director’s delegated authority. **Director Decoteau provided a summary of premium pay policies, up to \$2.00 per hour, approved under the Director’s delegated authority.**
- Director’s Report
 - **Director Decoteau expressed his appreciation to those staff members who worked on the recent Civil Service Commission Employee Representative Election, in particular Jackie Garrison, Sherri Gregoire and staff with IT, Applications and Data, Fiscal, and Procurement.**
 - **The department is monitoring the following bills in the [2023 Regular Legislative Session](#):**
 - **House Bill 95**
 - **House Bill 105**
 - **House Bill 236**
 - **House Bill 283**
 - **Senate Bill 148**
 - **Senate Bill 214**
 - **Senate Bill 37**
 - **House Bill 366**
 - **Prior to the next Commission meeting on June 7, the Department will propose rules related to parental leave.**
 - **Director Decoteau provided an update on the new Performance Management System. Though the new cloud-based system is presenting some challenges, staff has risen to the challenge and found some work arounds. The system is currently in the pilot phase, with the goal of making the system**

live on January 1, 2024. The department plans to promulgate rules regarding the new performance management system, soon.

- It's anticipated the department will provide the Commission with a realistic timeline of replacing pre-employment testing with competencies at the next Commission meeting.
 - Director Decoteau recognized and thanked the IT and Applications and Data departments for the successful migration of the AS400 to SQL.
 - As we approach State Employee Recognition Week, Director Decoteau shared with the Commission that his staff is a very talented group of individuals who are invested in the department and consistently meet the challenges that arise.
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- Consideration of a motion to *recess/adjourn* for Executive Session to consider Applications for Review of Civil Service Appeals and to discuss Personnel Matters. (All Commissioners to verbally vote.) **On motion duly made, seconded, and unanimously passed, the commission agreed to adjourn for executive session discuss Personnel Matters.**

There being no further business, the meeting adjourned at 10:23 a.m. on May 3, 2023.

Respectfully submitted,

Byron P. Decoteau, Jr., Director

David Duplantier, Chairman